

Exhibit 2 to the Complaint.

**U.S. Patent No. US 7,650,376 v. Broadway HD  
Exemplary Claim of Infringement, Claim 37**

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## 1. Claim Chart

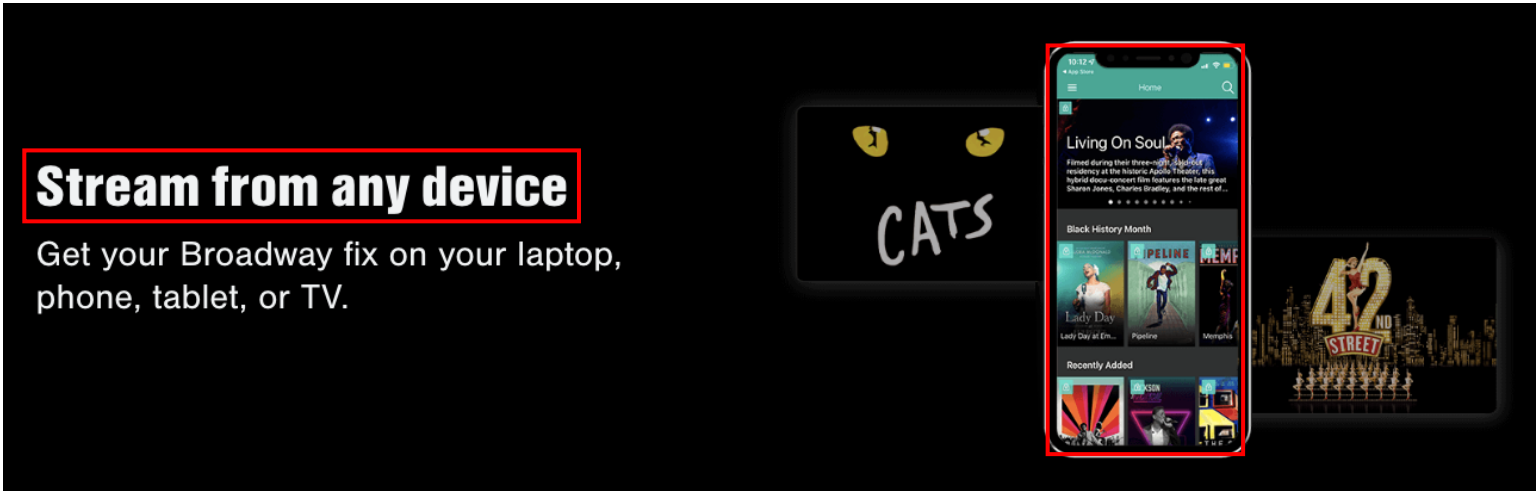
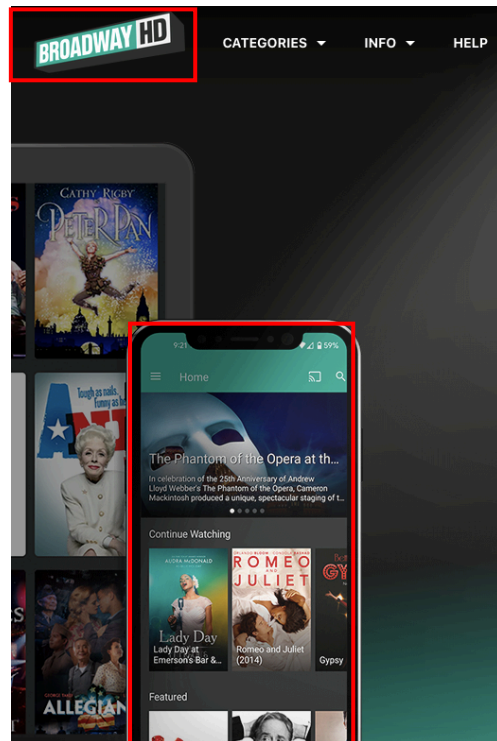
Claim	Analysis
<p>[37.P] A computer readable storage medium or media encoded with one or more computer programs including instructions for effecting the provision of content over a network, comprising</p>	<p>Broadway HD (“Company”) makes, uses, sells, and/or offers to sell a computer-readable storage medium or media encoded with one or more computer programs including instructions for effecting the provision of content over a network.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides the BroadwayHD application, a streaming platform (“a computer-readable storage medium or media encoded with one or more computer programs”) that allows users to watch content of different categories such as musicals, plays, dramas, and comedies over the internet (“instructions for effecting the provision of content over a network”).</p>  <p>Source: <a href="https://www.broadwayhd.com">https://www.broadwayhd.com</a></p>

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Source: <https://www.broadwayhd.com>

The minimum connection speed for SD quality video is 0.5 Mbps; however, Company recommends a faster connection for improved video quality. A download speed of at least 5.0 Mbps per stream is recommended to receive HD content (defined as a resolution of 720p or higher). A download speed of at least 25.0 Mbps per stream is recommended to receive Ultra HD (defined as a resolution of 1080p or higher) and HDR content. HD, Ultra HD and HDR availability is subject to your internet service and device capabilities. Not all Content is available in all formats, such as HD, Ultra HD or HDR. Please note that the number of simultaneous streams you can access may vary and that viewing multiple simultaneous content streams, as well as HD and 4K Ultra HD Content, may require higher internet bandwidth.

Source: <https://www.broadwayhd.com/info/legal/terms-of-use>

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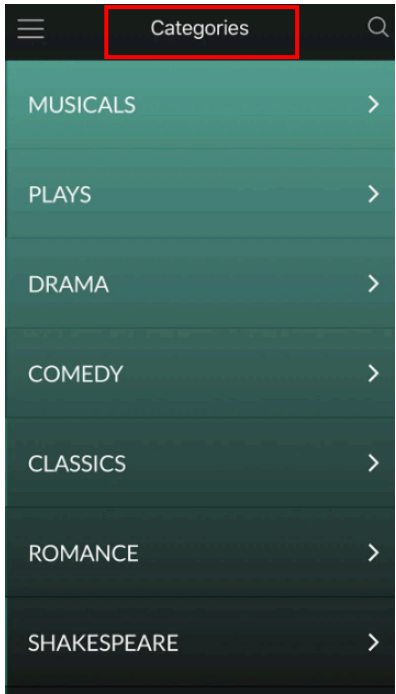
	<div data-bbox="409 250 802 940"></div> <p data-bbox="409 943 1644 976">Source: <a href="https://play.google.com/store/apps/details?id=com.broadwayhd.app&amp;hl=en_US&amp;gl=US">https://play.google.com/store/apps/details?id=com.broadwayhd.app&amp;hl=en_US&amp;gl=US</a></p> <p data-bbox="409 1016 1940 1084">Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
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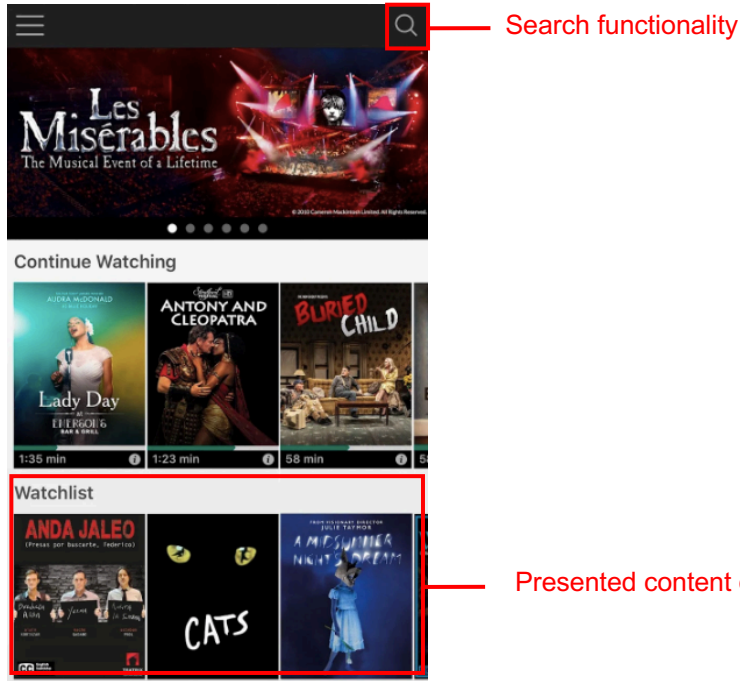
<p>[37.1] instructions for receiving a request from a client for specified content</p>	<p>Company provides instructions for receiving a request from a client for specified content.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the BroadwayHD application presents various content options along with search functionality that allows users (“a client”) to select or search (“request from a client”) for the desired content (“specified content”) such as musical events, plays, and dramas.</p> <div data-bbox="407 505 1142 1182">  </div> <p>Source: <a href="https://play.google.com/store/apps/details?id=com.broadwayhd.app&amp;hl=en_US&amp;gl=US">https://play.google.com/store/apps/details?id=com.broadwayhd.app&amp;hl=en_US&amp;gl=US</a> (annotated)</p>
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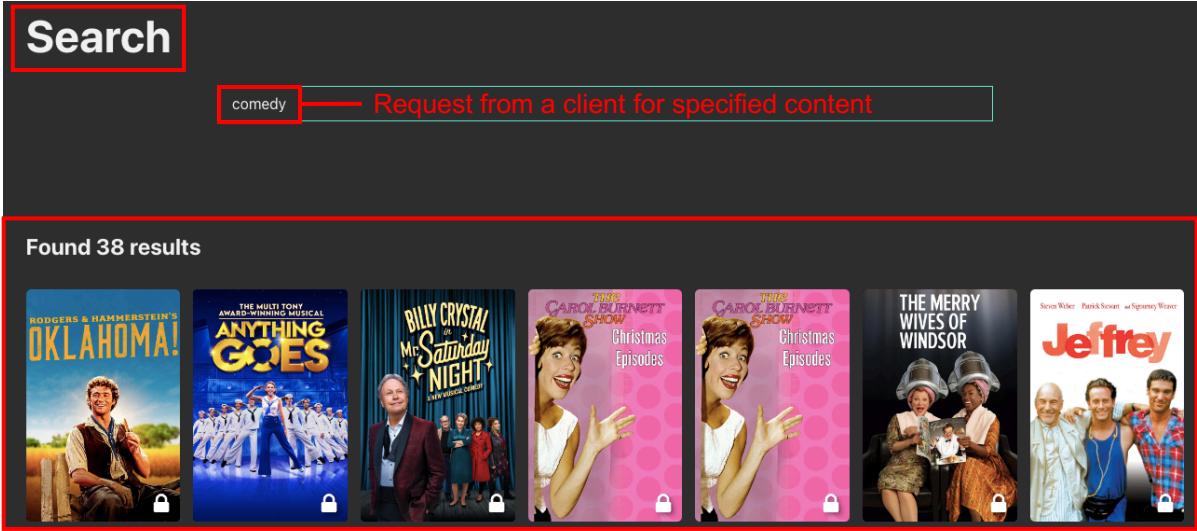
	 <p>Source: <a href="https://www.broadwayhd.com/search?q=comedy">https://www.broadwayhd.com/search?q=comedy</a> (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[37.2] instructions for communicati ng to the client the identity of a node server having the specified content stored thereon,</p>	<p>Company provides instructions for communicating to the client the identity of a node server having the specified content stored thereon, thereby enabling the client to request transmission of the specified content from the node server.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when the user requests the content, the BroadwayHD application searches for the relevant content options and delivers the requested content, stored in its servers (“a node server having the specified content stored thereon”), to the user such that the user accesses the content. Since the requested content is presented to the user through the BroadwayHD application over the internet, upon information and belief, the application comprises instructions for communicating to the users the identity of the node server, thereby enabling the client to request transmission of the specified content from the node server.</p>


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thereby enabling the client to request transmission of the specified content from the node server; and

**Search**

comedy

Found 38 results



Relevant content options

Source: <https://www.broadwayhd.com/search?q=comedy> (annotated)

1.2.1 Log Data File Information. When you log on to the BroadwayHD service, our servers automatically receive and store information such as your IP address (which may tell us your general, non-precise location); the characteristics of your web browser (such as type and operating system); your internet service provider; date/time stamps; and other web pages you view (such as your referring and exit pages).

Source: <https://video.broadwayhd.com/info/legal/privacy-policy>

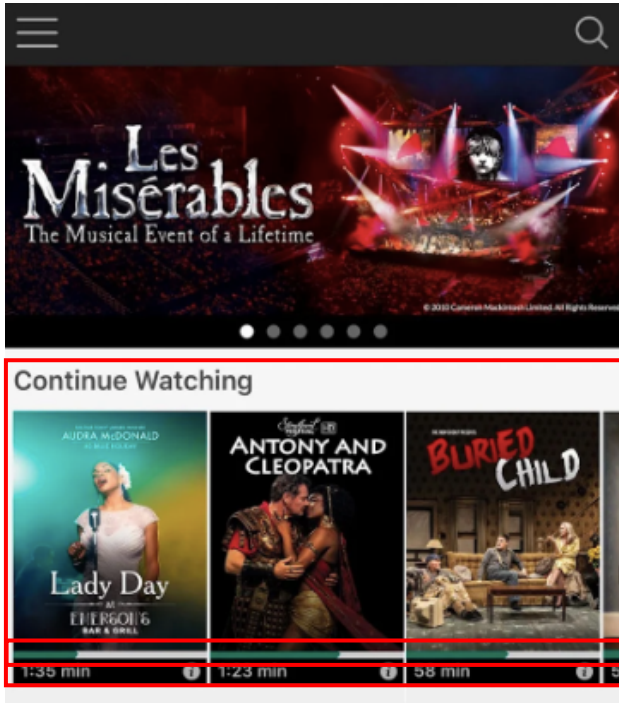
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	<p>1.2.3 Analytics Information. BroadwayHD directly measures or uses analytics tools such as Google Analytics to help us measure traffic and usage trends; analyze how people use the BroadwayHD service; compile statistics on BroadwayHD activity; and provide BroadwayHD with other information. These measurements are taken using cookies, device identifiers and other tracking technologies. Analytic information may be transmitted to and stored by BroadwayHD and/or service providers on servers in the U.S. (or elsewhere). Please note that analytics information is generally stored in an aggregated form such that it cannot reasonably be manipulated to identify any particular user.</p> <p>Source: <a href="https://video.broadwayhd.com/info/legal/privacy-policy">https://video.broadwayhd.com/info/legal/privacy-policy</a></p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[37.3] instructions for ascertaining that the node server transmitted the specified content to the client, wherein an owner of the node server is offered an incentive as compensation for transmission</p>	<p>Company provides instructions for ascertaining that the node server transmitted the specified content to the client, wherein an owner of the node server is offered an incentive as compensation for transmission of the specified content to the client.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, when the user searches for any content, the application identifies the servers where the desired content is stored and delivers the requested content to the user. Further, the application comprises a 'continue watching' feature, allowing users to resume viewing their content from where they left off. Therefore, it would be apparent to a person having ordinary skill in the art that the application includes instructions for ascertaining that the node server transmitted the specified content to the user.</p> <p>Furthermore, the application provides multiple subscription plans for the user to access the content provided in the application such that the user is billed for accessing the content. Therefore, it would be apparent to a person having ordinary skill in the art that BroadwayHD ("an owner of the node server") receives an incentive as compensation for transmitting the specified content to the client.</p>



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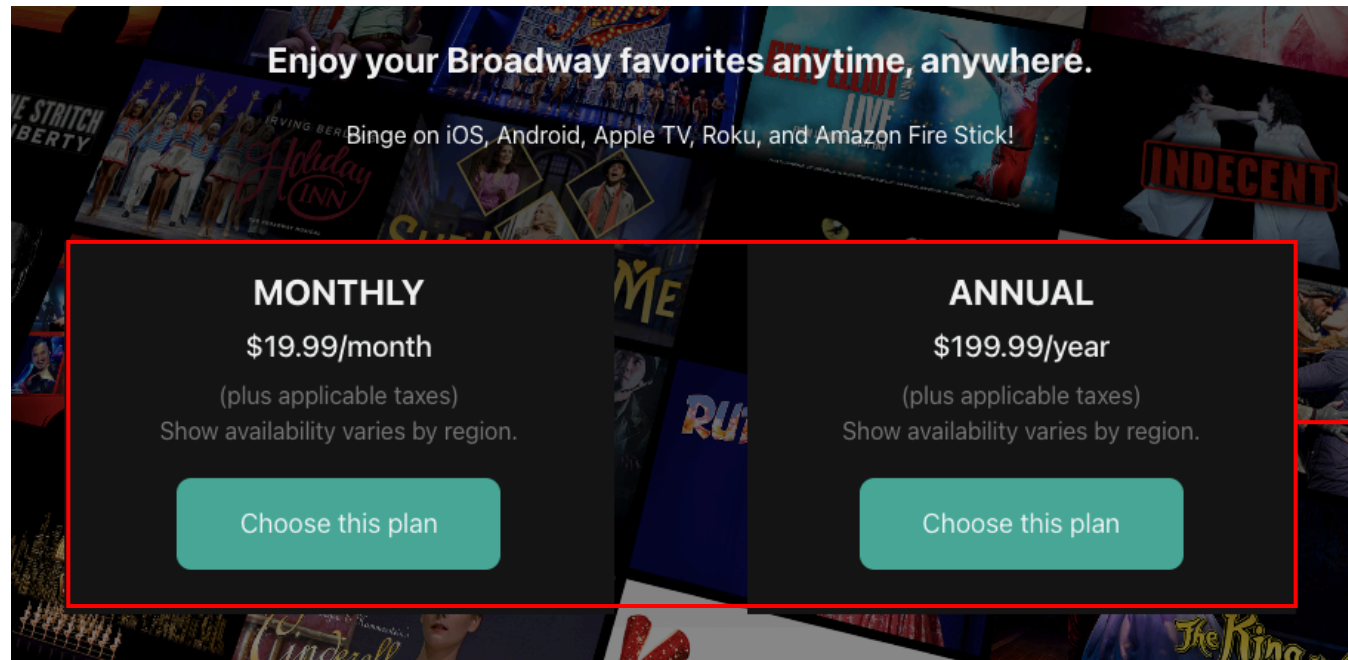
of the  
specified  
content to the  
client.



transmitted the specified  
content to the client

Source: [https://play.google.com/store/apps/details?id=com.broadwayhd.app&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=com.broadwayhd.app&hl=en_US&gl=US) (annotated)

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Subscription plans

Source: <https://www.broadwayhd.com/subscription> (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

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## 2. List of References

1. <https://www.broadwayhd.com>, last accessed on May 17, 2024.
2. <https://www.broadwayhd.com/info/legal/terms-of-use>, last accessed on May 17, 2024.
3. [https://play.google.com/store/apps/details?id=com.broadwayhd.app&hl=en\\_US&gl=US](https://play.google.com/store/apps/details?id=com.broadwayhd.app&hl=en_US&gl=US), last accessed on May 17, 2024.
4. <https://www.broadwayhd.com/search?q=comedy>, last accessed on May 17, 2024.
5. <https://video.broadwayhd.com/info/legal/privacy-policy>, last accessed on May 17, 2024.
6. <https://www.broadwayhd.com/subscription>, last accessed on May 17, 2024.